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Attorneys for Defendant

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JOSEPH LAMANNA,

Plaintiff,

V.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

Defendant.

Case No.: 2:22-cv-01721-NJK

## JOINT MOTION FOR REMAND

Defendant, the Commissioner of Social Security, and Plaintiff, through their respective counsel of record, hereby request that this action be remanded for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g), sentence four.

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new decision. The Appeals Council will instruct the ALJ to reevaluate Plaintiff's residual functional capacity, explaining how the evidence of record supports the residual functional capacity in accordance with SSR 96-8p; obtain supplemental vocational expert evidence to clarify the effect of assessed limitations on Plaintiff's ability to perform work available in significant numbers in the national economy, including any required training or probationary period; offer Plaintiff the

1 opportunity for a hearing; take any further action needed to complete the administrative record; and  
2 issue a new decision.

3 The parties further request that the Clerk of the Court be directed to enter a final judgment in  
4 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

5 WHEREFORE, the parties respectfully request that this action be remanded for additional  
6 administrative action and that the Clerk of the Court be directed to enter a final judgment in favor of  
7 Plaintiff, reversing the final decision of the Commissioner.

8  
9 Dated: March 15, 2023

Respectfully submitted,

10 JASON M. FRIERSON  
United States Attorney

11 /s/ Daniel P. Talbert  
12 DANIEL P. TALBERT  
Special Assistant United States Attorney

13 Attorneys for Defendant

14 Dated: March 15, 2023

/s/ Marc V. Kalagian  
15 MARC V. KALAGIAN

16 Attorney for Plaintiff

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21 IT IS SO ORDERED:

22   
23 HON. NANCY J. KOPPE  
24 UNITED STATES MAGISTRATE JUDGE

25 DATED: March 15, 2023